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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,419	03/20/2006	Gianfranco Passoni	TRSCWE P01AUS	1171
20210 7590 04/27/2010 DAVIS & BUJOLD, P.L.L.C. 112 PLEASANT STREET CONCORD, NH 03301				
EXAMINER				
PARADISO, JOHN ROGER				
ART UNIT		PAPER NUMBER		
3721				
MAIL DATE		DELIVERY MODE		
04/27/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/572,419

Applicant(s)

PASSONI, GIANFRANCO

Examiner

John Paradiso

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 49-51, 53-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 49-51 and 53-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendments

1. On page 9 of his Response, Applicant requests a telephone interview. Applicant is invited at his earliest convenience to call the Examiner at (571) 272-4466 to schedule an interview.

Claim Rejections

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 49-51 and 53-66 are rejected under 35 U.S.C. § 103(a) as being unpatentable over MILLER (US 4524691) in view of BELEC ET AL (US 5447015) and BUTTON ET AL (US 6199348) and BAUMANN ET AL (US 6036185).

MILLER discloses a method and apparatus for feeding envelopes. Envelopes are held in a magazine (29) (see Fig. 6) where they are grabbed by a rotating cam (47) (see column 5:25-28), pulled off the cam and rotating drum (36) by means of a stripper bar (see Fig. 6), and conveyed to a filling station.

MILLER does not disclose the envelopes having items inserted therein. Miller also does not disclose the drum having suction, nor does it disclose an air stream used to open the envelopes.

BELEC ET AL discloses a method and apparatus for packing envelopes in which envelopes are carried by a vacuum drum (30) with frictional coatings and vacuum apertures. (see Fig 1 and column 3:60-4:25). The envelopes are pulled from the drum by an oscillating suction gripper. The envelopes are filled at an envelope inserting station (10).

BUTTON ET AL discloses a method and apparatus for packing envelopes in which a flap opening means (28) opens the flap in preparation of inserting items into the envelop by dispensing a compressed air stream to open it (see Fig. 3A and column 7:27-39). An envelope packing assembly is disclosed (see Fig. 7A-7D and column 15:66 - 16:56) in which items are guided into the open envelopes.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of MILLER by adding an insertion station, as taught by BELEC ET AL, in order to provide greater utility for the invention. It would also have been obvious to one of ordinary skill in the art at the time the invention was made to by making the pickup drum a suction-assisted drum, as taught by BELEC ET AL, in order to more positively control the envelopes during the process.

It would further have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of MILLER and BUTTON ET AL by adding an air stream, as taught by BUTTON ET AL, in order to more quickly and completely open the envelopes and to provide them to the control drum in an open and ready-to-fill state.

The combination of MILLER and BELEC ET AL and BUTTON ET AL does not specifically disclose the envelopes being stored so that the closing flaps are adjacent the control drum.

BAUMANN ET AL discloses a method and apparatus for inserting items into envelopes. Fig. 2 shows the closing flaps of the envelopes (5) stored so as to directly abut a back surface of the envelope and adjacent the control drum.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of MILLER and BELEC ET AL and BUTTON ET AL by storing the envelopes so as to directly abut a back surface of the envelope and adjacent the control drum, as taught by BAUMANN ET AL, in order to provide for differently formatted or printed envelopes.

Response to Arguments

3. Applicant's arguments filed 1/19/2010 have been fully considered but are considered moot in view of the new grounds of rejection above.

Reference Citations

4. The following prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:
 - RUTISHAUSER discloses a method and apparatus for feeding envelopes in which the closing flaps of the envelopes are stored so as to directly abut a back surface of the envelope and adjacent the control drum.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 9:30 p.m. – 6:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center Receptionist.

/John R Paradiso/

Examiner John Paradiso: (571) 272-4466

April 24, 2010

/Rinaldi I Rada/

Supervisory Patent Examiner, Art Unit 3721

Additional Phone Numbers:

Supervisor Rinaldi Rada: (571) 272-4467

Fax (Official): (571) 273-8300

Fax (Direct to Examiner) (571) 273-4466 (Drafts only)